



1-16-07

EXPRESS MAIL NO. EV887975455US

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TRANSMITTAL FORM

(To be used for all correspondence
after initial filing)

Application Number	10/809,178
Filing Date	March 25, 2004
First Named Inventor	Hiroshi Shingai
Art Unit	1752
Examiner Name	Anna L. Verderame
Attorney Docket No.	890050.476

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to TC (<i>Appeal Notice, Brief, Reply Brief</i>)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Declaration	<input type="checkbox"/> Other Enclosure(s) (<i>please identify below</i>):
<input checked="" type="checkbox"/> Information Disclosure Statement and Transmittal	<input type="checkbox"/> Statement under 37 CFR 3.73(b)	_____
<input checked="" type="checkbox"/> Cited References	<input type="checkbox"/> Terminal Disclaimer	_____
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	_____
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> CD, Number of CD(s) _____	_____
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	_____

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number	00500
Signature			
Printed Name	Raymond W. Armentrout		
Date	January 12, 2007	Reg. No.	45,866

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	** SENT VIA EXPRESS MAIL **		
Typed or printed name		Date:	

Filed pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Complete if Known

Application Number	10/809,178
Filing Date	March 25, 2004
First Named Inventor	Hiroshi Shingai
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FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180)

METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other (please identify): _____
- ☒ Deposit Account Deposit Account Number: 19-1090 Deposit Account Name: Seed IP Law Group PLLC
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☐ Charge any additional fee(s) or underpayments ☒ Charge any underpayments or credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
_____ -20 or HP = _____	X	_____	_____	Fee (\$)
HP = highest number of total claims paid for, if greater than 20.				Fee Paid (\$)

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ -3 or HP = _____	X	_____	_____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ -100 = _____	/50 = _____	(round up to a whole number)	x _____	_____

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge): <u>Submission of Information Disclosure Statement</u>	<u>180</u>

SUBMITTED BY

Signature	<i>Raymond W. Armentrout</i>	Registration No. (Attorney/Agent)	45,866	Telephone	206-622-4900
Name (Print/Type)	Raymond W. Armentrout	Date	January 12, 2007		

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hiroshi Shingai et al.
 Application No. : 10/809,178
 Filed : March 25, 2004
 For : OPTICAL RECORDING MEDIUM AND DATA RECORDING
 MEDIUM FOR RECORDING DATA IN THE SAME

Examiner : Anna L. Verderame
 Art Unit : 1752
 Docket No. : 890050.476
 Date : January 12, 2007

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents:

In accordance with 37 CFR 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Supplemental Information Disclosure Statement. Copies of cited U.S. patents and published patent applications are not required and accordingly have not been provided. Copies of any other cited references are enclosed. As to any reference cited, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 CFR 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

This Supplemental Information Disclosure Statement is provided because of the Examiner's double-patenting rejection in the application 10/756,036, with which applicants do not agree and which applicants believe is improper. However, if the Examiner believes that the

claims of the application 10/756,036 are sufficiently similar to warrant a double-patenting rejection, the art from the application 10/756,036 might be considered relevant by the Examiner of the present application. Further, this Supplemental Information Disclosure Statement is provided because the application 10/756,036 was the basis of a double-patenting rejection asserted in the following co-pending application commonly owned by the Assignee: 10/824,081. Applicants do not agree with the alleged double-patenting rejection asserted in the application 10/756,036 and believe that it is improper. However, if the Examiner of the application 10/756,036 believed that the claims of that application were sufficiently similar to the claims of the application 10/824,081 to warrant a double-patenting rejection, the art from the application 10/824,081 might be considered relevant by the Examiner of the present application. Accordingly, the art of record in both of the above-identified co-pending applications, if not already disclosed, is disclosed out of an abundance of caution. This is the reason for the submission and the basis of relevance provided by Applicants' attorney.

Please acknowledge receipt of this Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

A fee of \$180 is submitted in accordance with 37 CFR 1.97(c). The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC



Raymond W. Armentrout
Registration No. 45,866

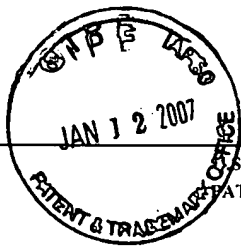
RWA:jr

Enclosures:

Check
Supplemental Information Disclosure Statement
Cited References (5)

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890050.476 / 891039_1.DOC



EXPRESS MAIL NO. EV887975455US

Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 890050.476	APPLICATION NO. 10/809,178
	APPLICANTS Hiroshi Shingai et al.	
	FILING DATE March 25, 2004	GROUP ART UNIT 1752

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,605,328	08/12/03	Shingai et al.	428	64.1	
	AB	6,677,104	01/13/04	Mizushima et al.	430	270.13	
	AC	6,798,733	09/28/04	Inoue et al.	369	275.3	
	AD	2004/0047278	03/11/04	Komaki et al.	369	275.2	
	AE	2004/0062189	04/01/04	Matsukawa et al.	369	275.4	
	AF	2004/0191689	09/30/04	Shingai et al.	430	270.13	
	AG	2005/0041568	02/24/05	Shingai et al.	369	275.2	
	AH	2005/0106404	05/19/05	Hayashida et al.	428	522	
	AI	10/756,036		Kato et al.			01/13/04
	AJ	10/824,081		Shingai et al.			04/14/04
	AK						
	AL						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AM	06-166268	06/14/94	JP (+ Abstract in English)		
	AN	03/055679	07/10/03	WIPO		
	AO	03/067580	08/14/03	WIPO		

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).